

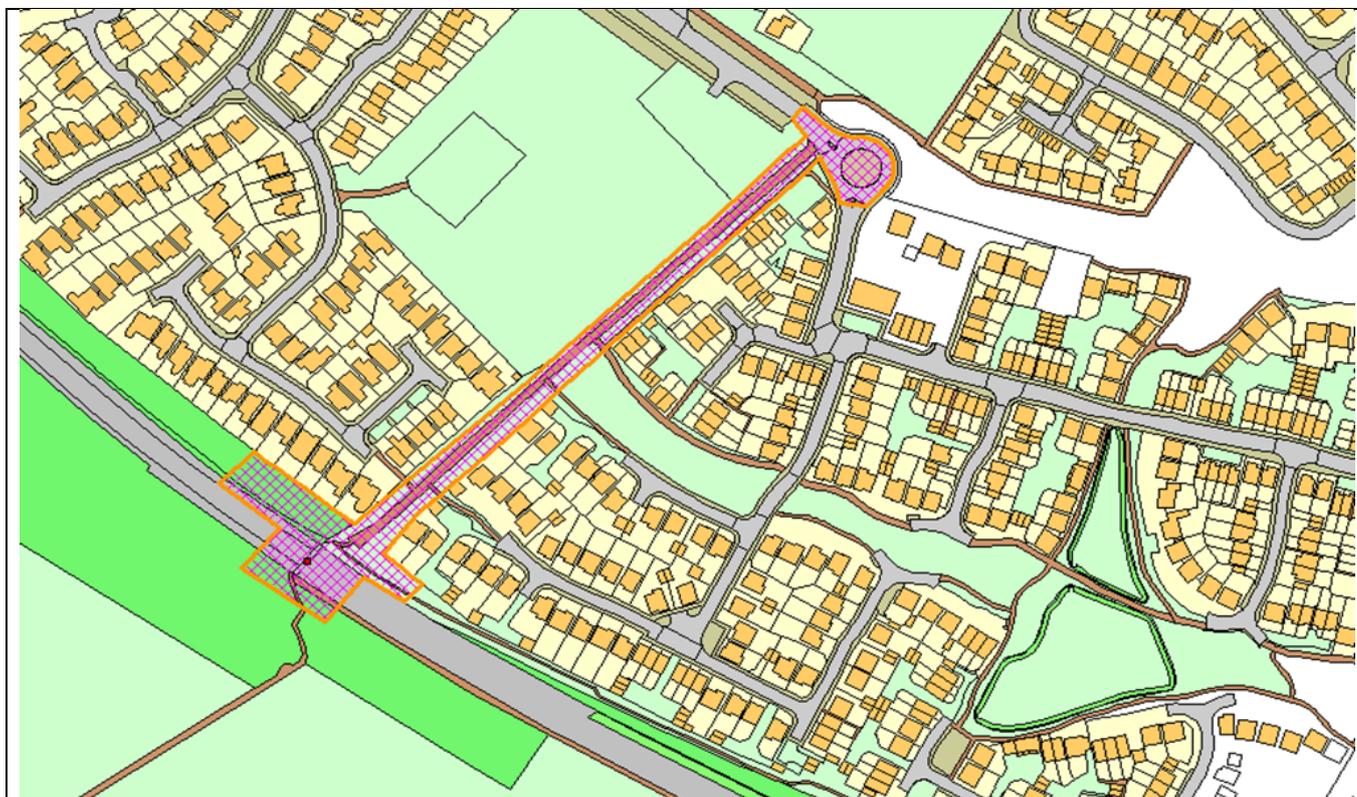


Northumberland County Council

Strategic Planning Committee 8th June 2021

Application No:	21/00388/CCD		
Proposal:	Construction of footbridge, works to public rights of way, construction of soft and hard landscaping, surface and subsurface drainage, utilities and other services, boundary treatment and other associated works.		
Site Address	Land South East Of Chase Meadows, Chase Farm Drive, Blyth, Northumberland		
Applicant:	NCC County Hall, Morpeth, NE61 2EF,	Agent:	Mr Allen Creedy 72 B-Box Studios, Newcastle , NE2 1AN,
Ward		Parish	Blyth
Valid Date:	3 February 2021	Expiry Date:	30 June 2021
Case Officer Details:	Name: Mr Gordon Halliday Job Title: Consultant Planner Tel No: 07785 727053 Email: gordon.halliday@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, in cases where the local authority is the applicant in respect of a planning application, it is required to be determined by the Planning Committee.

2. Description of the Proposals

2.1 The Northumberland Line scheme seeks to re-introduce passenger services onto the existing freight line that runs between Newcastle Central Station and Ashington town centre. The scheme includes the construction of six new railway stations and associated infrastructure. The railway line was formerly known as the Ashington, Blyth and Tyne Line. Passenger services on the line ceased in 1964 since when freight trains have continued to operate.

2.2 This application is for the construction and operation of a new pedestrian footbridge at Chase Meadows to replace the existing level crossing. The existing level crossing provides access from the housing estates to the east, to the open countryside west of the railway line. The new overbridge would be located close to the existing level crossing, be 8.6 metres high with a vertical clearance of 5.1 metres. It would have stepped access, be coloured green and have a 1.8 metre privacy screen along the main span, main span landing and on one side of the staircase to limit views from the structure to adjacent residential properties. The nearest residential property would be approximately 15 metres away with the nearest residential boundary being 9.8 metres away.

2.3 A Public Right of Way (PROW) currently crosses the railway line at the existing level crossing. An application for an Order under the Transport and Works Act 1992 (TWAO) will be submitted to the Secretary of State for transport in due course. The TWAO if made, will authorise the closure of the level crossing and associated PROW and provide for the creation of a new PROW over the proposed footbridge. The TWAO will also authorise minor permanent diversions to the existing bridleways to the east of the railway line to accommodate access to the proposed footbridge and various temporary closures that are required during construction.

2.4 This planning application includes the physical works necessary for the temporary and permanent diversion of the PROWs and the permanent and temporary closures set out above.

3. Planning History

3.1 There have been no previous planning applications on land associated with the proposal. Planning permission has been granted for a number of residential developments in recent years on land to the east of the railway line.

3.2 There have been two Screening Opinions provided on the Northumberland Line scheme as set out below.

Reference Number: 19/02151/SCREEN

Description: Request for a Screening Opinion- Provision of six new train stations, associated upgrading and refurbishment of existing rail infrastructure and engineering works and the reintroduction of passenger train services.

Status: SCREEN

Reference Number: 20/02243/SCREEN

Description: Request for a Screening Opinion- Provision of six new train stations, associated upgrading and refurbishment of existing rail infrastructure and engineering works and the reintroduction of passenger train services.

Status: SCREEN

4. Consultee Responses

Blyth Town Council	No response received.
County Ecologist	No objection subject to the imposition of conditions relating to biodiversity mitigation measures.
Countryside/ Rights Of Way	No objection subject to the conclusion of appropriate agreements relating to applications for the temporary closure or diversion of public rights of way, the construction of the site access, the construction of bridleways and footpaths and details of landscaping, hard surfacing and woodland planting.
South SE Tree And Woodland Officer	No response received.
Public Protection	No objection subject to the imposition of conditions relating to possible previous contamination and hours of working and delivery / collection.
The Coal Authority	No objection subject to the imposition of conditions requiring intrusive site investigations and any remedial works to be carried out, as the site is likely to have been subject to unrecorded underground mining at shallow depth.
Highways	No objection subject to the imposition of a condition requiring a construction method statement to be submitted and approved in the interests of residential amenity and highway safety.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	25
Number of Objections	5
Number of Support	0
Number of General Comments	0

Notices

Site notice - Public Right of Way,

News Post Leader 18th February 2021

Summary of Responses:

The letters of objection refer to the following matters;

- Concern that the bridge is not justified by the volume of pedestrian traffic and represents a very expensive project. Instead improved safety measures, such as an automated gate system, should be introduced at the existing level crossing.

- Concern that the bridge would be a focus for anti-social behaviour, including vandalism, loitering and littering.
- Concern regarding overlooking of adjacent properties notwithstanding the design measures proposed to mitigate this.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QNWSOLQSLQF00>

6. Planning Policy

Development Plan Policy

6.1 The Development Plan in respect of the application site comprises the Blyth Valley Borough Local Development Framework Core Strategy (BVBCS) (2007), the Blyth Valley Borough Local Development Framework Development Control Policies (BVBDP) (2007) and saved policies from the Blyth Valley Borough Local Plan (BVBLP) (1999).

6.2 The following policies in the BVBCS are relevant to the consideration of the application.

SS1 Regeneration and Renaissance of Blyth Valley 2021
SS3 Sustainability Criteria
A2 Pedestrian / Cycle Routes
A3 Ashington, Blyth and Tyne Line

6.3 The following policies in the BVBDP are relevant to the consideration of the application.

DC1 General Development
DC11 Planning for Sustainable Travel
DC16: Biodiversity
DC17 Landscape, General Protection and Restoration
DC19: Drainage and Flood Risk
DC21: Pollution Control
DC22 Noise Pollution
DC27: Design of New Developments

6.4 The following saved policies in the BVBLP are relevant to the consideration of the application.

E2 Nature Conservation: General Protection of Wildlife
E3 Landscape: General Approach

E5 The Protection of tree and Shrub Cover
G9: Development in Countryside Beyond Green Belt
G10: Development Criteria in the Countryside
WB3: Chase Farm Access

6.5 Emerging Development Plan policy is the Northumberland Local Plan Submission Draft Plan (NLP) (February 2019 and Schedule of Proposed Minor Modifications (May 2019) .The NLP was submitted to the Secretary of State in May 2019 and has been the subject of Examination in Public. A number of examination hearings have been held since 2019, a Phase 1 between October 2019 and February 2020 and a Phase 2 in October and November 2020.

6.6 On 24 February 2021 the Inspector wrote to the Council stating "...whilst I consider the submitted Local Plan not to be sound, it is likely that it can be made sound by modifications'. The next stages are for the Inspector to work with the Council to finalise the wording of the main modifications and to agree a timetable for their consultation. While the Inspector's letter provides some confidence regarding the direction of travel as set out in the emerging plan, the Council considers that the level of weight to be given to the policies in the emerging Northumberland Local Plan at this stage, has not changed as a result of the Inspector's letter.

6.7 The NLP will eventually replace the various development plan documents referred to above as the development plan for the application site.

6.8 The following policies in the emerging NLP are relevant to the consideration of the application.

STP 1: Spatial Strategy
STP2: Presumption in favour of Sustainable Development
STP3: Principles of Sustainable Development
STP4: Climate Change Mitigation and Adaptation
STP5: Health and Wellbeing
QOP1: Design Principles
QOP2: Good Design and Amenity
QOP4: Landscaping and Trees
QOP6: Delivering Well-designed Places
TRA1: Promoting Sustainable Connections
TRA2: The Effects of Development on the Transport Network
TRA5: Rail Transport and Safeguarding Facilities
ENV1: Approaches to assessing the impact of development on the natural, historic and built environment
ENV2: Biodiversity and Geodiversity
ENV7: Historic Environment and Heritage Assets
WAT3: Flooding

WAT4: Sustainable Drainage Systems
POL1: Unstable and Contaminated Land
POL2: Pollution and Air, Soil and Water Quality

National Planning Policy

- 6.9 National Planning Policy Framework (NPPF) (2019)
National Planning Practice Guidance (NPPG) (2019 as amended)

7. Appraisal

- 7.1 The main issues for consideration in the determination of this application are:
- Principle of the development
 - Impact on residential amenity
 - Impact on biodiversity
 - Public Right of Way considerations

Principle of the Development

7.2 Policies SS1 and A3 in the BVBCS and policy TRA5 in the emerging NLP support the re-introduction of passenger rail services on the Northumberland Line. Policy TRA5 also states that measures to improve public safety at level crossings along the line will be supported. The proposed footbridge at Chase Meadows is an integral component of the Northumberland Line scheme.

7.3 The re-introduction of passenger rail services will significantly increase the number of trains using the railway line. At present the line is used only for freight services which number between 3 and 5 in each direction each day. The line is closed on Sundays. It is proposed that passenger rail services would run at half hourly intervals between the hours of 06.00 and 23.00. This would increase the potential risk of injury and fatality at each of the crossings along the line. A risk assessment carried out by Network Rail concluded that the closure of the Chase Meadows level crossing would be the safest intervention.

7.3 The current crossing connects the residential properties to the open countryside and PROW network to the west of the railway line. The PROW team have confirmed that they would require the crossing to continue to provide access to the land to the west.

7.4 A number of alternative design options for the proposal were considered including a footbridge with ramped access and upgrading to a manual controlled barrier crossing. Surveys established that the demand for ramp access is low and it was also considered this would also require additional land, the clearance of more woodland and would have a greater visual impact. The risk assessment carried out by Network Rail identified greater risk to safety with the manual controlled barrier crossing than with the pedestrian bridge. It was also considered that the construction of some 1000 new houses to the east of the railway line following recent the granting of recent planning permissions would potentially increase usage of the crossing, therefore increasing the safety with a level crossing.

7.5 It is concluded therefore the principle of the development is in accordance with Development Plan policy and has been established.

Impact on Residential Amenity

7.6 Policy QOP2 in the emerging NLP states that developments will be required to preserve the amenity of those living in the local area and that development that would result in unacceptable adverse impacts on the amenity of neighbouring uses will not be supported.

7.7 During construction a Construction Environmental Management Plan (CEMP) and Transport Method Statement would set out the control measures required to mitigate the potential impacts of the development, including noise, lighting and traffic movements. An outline CEMP has been submitted with the application and a planning condition is recommended dealing with this aspect. Planning conditions are also recommended relating to hours of working and deliveries to and collections from the site.

7.8 The re-introduction of passenger rail services will increase the numbers of trains using the Northumberland Line. However, as stated above the principle of the scheme and the construction of the bridge have been established.

7.9 The main impacts on local residential amenity are considered to be the appearance of the bridge, its visual impact and the potential for overlooking of adjacent properties. It is clear that compared to the existing situation, the bridge will change the appearance of the area. However, the size of the bridge cannot be reduced and painting it a green colour will assist in reducing the visual impact. The proposed privacy screen represents an acceptable solution to limit views from the structure to adjacent residential properties.

7.10 Local residents have commented that the existing crossing is a focus for anti-social behaviour and that there is the potential for this to increase with the construction of the bridge. However, this would be a potential issue with whichever option was decided upon for the replacement crossing.

7.11 Overall therefore it is concluded that that there would be some adverse impacts on local residential amenity but that these would be mitigated by such aspects as the provisions in the CEMP and the design elements of the bridge. These adverse impacts need to be balanced against the benefits that would result both from the re-introduction of passenger rail services and the continued provision of safe access from the housing estates to the open countryside.

Impact on Biodiversity

7.12 Policy DC16 in the BVLP states that all development should maintain and enhance habitat networks by avoiding or repairing the fragmentation and isolation of natural habitats. Policy ENV2 in the emerging NLP states that development proposals should minimise the impact on biodiversity and net gains should be secured.

7.13 The proposed development would involve the loss of approximately 355 square metres of existing vegetation to enable the land to be used for construction purposes and to comply with relevant design standards. It is proposed to mitigate the loss of this vegetation by planting an area of woodland edge adjacent to the existing

residential boundary to the north of the footbridge. This would also in time assist the screening of the bridge from residential properties.

7.14 The County Ecologist considers that the loss of trees will not affect the functionality of the woodland because they are located at the edge of the woodland block. The County Ecologist also supports the mitigation proposed and has raised no objection to the proposal subject to the imposition of appropriate planning conditions, including a condition relating to the offsetting of the biodiversity impacts (Biodiversity Net Gain).

Public Right of Way Considerations

7.15 The implications of the proposal for PROWs are set out in paragraphs 2.3 and 2.4 above. Some local residents have queried whether the numbers of people using the existing crossing and PROW justifies the proposed development. However, the PROW team considers that the existing crossing is well used and forms an integral element in the local PROW network.

7.16 The proposals for PROWs have been formulated in consultation with the County PROW team who have been consulted on the planning application. The PROW team raises no objection to the proposal subject to the conclusion of appropriate agreements relating to applications for the temporary closure or diversion of public rights of way, the construction of the site access, the construction of bridleways and footpaths and details of landscaping, hard surfacing and woodland planting. Some of these will be the subjects of separate statutory processes under the Highways Act and others are covered in the recommended conditions.

Other Issues

7.17 Conditions are recommended to address issues raised by the Coal Authority and County Highways. The proposal does not give rise to any heritage or water management issues.

Equality Duty

7.18 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. The possibility of providing a ramped bridge was considered but discounted for the reasons set out in paragraph 7.4 above. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.19 Notwithstanding the comments received from some local residents regarding anti-social behaviour, it is concluded that these proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

7.20 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.21 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.22 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The reintroduction of passenger rail services on the Northumberland Line would bring considerable benefits to communities in south-east Northumberland. The proposed footbridge at Chase Meadows is an integral component of the Northumberland Line scheme. A risk assessment carried out by Network Rail concluded that the closure of the Chase Meadows level crossing and its replacement by an overbridge would be the safest intervention.

8.2 It is recognised that the bridge will change the appearance of the local area and that there will be a loss of amenity for some local residents. However, various mitigation measures have been incorporated into the proposals to reduce such impacts including the privacy screen and tree planting. These adverse impacts need to be balanced against the benefits that would result both from the re-introduction of passenger rail services and the continued provision of safe access from the housing estates to the open countryside. Other impacts, for example in relation to biodiversity, highways and public rights of way, can be satisfactorily addressed by the imposition of planning conditions.

8.3 It is concluded that the proposal is in accordance with the Development Plan and that the planning balance weighs in favour of granting planning permission subject to appropriate planning conditions.

9. Recommendation

That this application be GRANTED permission subject to the following conditions.

1. The development hereby permitted shall be begun not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents.

60601435-ACM-XX-ZZ-DRG-LEP-000016 (Rev. PO1) Site Location Plan
60601435-ACM-05-ZZ-DRG-EST-000401 (Rev. PO1.4) General Arrangement
60601435-ACM-05-ZZ-DRG-EST-000402 (Rev. PO1.3) Site Elevation and Isometric Views (Chase Meadows FB Elevations)
60601435-ACM-05-ZZ-DRG-EST-000403 (Rev. PO1.3 Proposed Elevations (Chase Meadows FB Elevations)
60601435-ACM-XX-ZZ-DRG-EEN-000507 (Rev. PO1) Landscape Design
60601435-SLC-P-270-CM-ECIA Ecological Impact Assessment (including net gain statement)
60601435-ACM-XX-ZZ-REP-EEN-000033 Arboriculture Assessment
60601435-ACM-XX-ZZ-REP-EGE-004_P01CMRA Coal Mining Risk Assessment
60601435-ACM-05-ZZ-REP-EGE-004 Preliminary Sources Study Report

Reason: To ensure that the approved development is carried out in accordance with the approved plans.

3. Notwithstanding the details submitted, prior to the commencement of development samples of all materials, colours and finishes to be used on all external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the area in accordance with Policy DC17 of the Blyth Valley Borough Local Development Framework Core Strategy and Policy E3 of the Blyth Valley Borough Local Plan.

4. Development shall not commence until:

a. a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity;

b. any remediation works and / or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed;

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance

Reason: To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site, in the interests of safety and stability of the development in accordance with paragraphs 178 and 179 of the NPPF.

5. Prior to the commencement of construction of the structure, a signed statement or declaration prepared by a suitable competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and / or mitigation measures necessary to address the risks posted by past coal mining activity.

Reason: To ensure that the site is safe and stable for the development proposed in accordance with paragraphs 178 and 179 of the NPPF.

6. Development shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Management Plan shall be adhered to throughout the construction period. The Management Plan shall provide for:

- a. Equipment cleaning and washing facilities.
- b. Excavation plant machinery to be fitted with fuel spill kits.
- c. The positioning and direction of lighting so that it will not unnecessarily intrude on adjacent buildings and land uses, including foraging and bat habitats. The lighting scheme shall be designed in consultation with the project ecologist and follow guidance set out in Institution of Lighting Professional Advice Note 08/18. All external lighting shall be installed in accordance with the agreed specifications
- d. The provision of welfare facilities that shall be maintained by a licenced Waste Carrier.
- e. Details of behavioural policies for all site staff to minimise noise, vibration and air quality impacts from vehicles, plant and equipment.
- f. The engines / generators of all construction vehicles, plant and equipment shall be turned off when not in use. Hybrid generators shall be used wherever practicable to reduce noise and fuel consumption.

Reason: To prevent nuisance in the interests of residential amenity in accordance with the NPPF and to ensure the welfare of site operatives.

7. Development shall not commence until a Transport and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Method Statement shall be adhered to throughout the construction period. The Method Statement shall provide for:

- a. Details of temporary traffic management measures, temporary access routes and vehicles including swept plan drawings.

- b. Vehicle cleaning facilities.
- c. The parking of vehicles of site operatives and visitors.
- d. The loading and unloading of plant and materials
- e. Storage of plant and materials used in constructing the development.

Reason: In the interests of highway safety.

8. No development will take place unless in accordance with the mitigation measures set out in the report *Ecological Impact Assessment Chase Meadows Footbridge* (January 2021) by Econorth. The mitigation measures shall comprise the following:

- a. At least 5 new bat boxes and 5 new bird boxes shall be installed within the trees that are to be retained within the site.
- b. The habitats retained and created for wildlife shall be subject to an appropriate management regime for the life of the development.
- c. Priority within the planting scheme shall be given to native species or those of known value to wildlife of local provenance.
- d. A checking survey shall be undertaken within one month prior to the start of works to ensure no badger setts have been established within the site or an alternative buffer zone in the time since the previous survey.
- e. Vegetation clearance works shall be undertaken outside of the nesting bird period (1 March – 30 September) in order to minimise the risk of nesting birds being adversely affected. If this is not possible works shall not commence until a checking survey by a Suitably Qualified Ecologist (SQE) has confirmed that no active nests are present within the 5 days prior. In the event any active nests are recorded at this time the SQU shall implement a buffer zone around the feature into which no works will progress until the SQE confirms that the nest is no longer active.
- f. Works shall proceed to an appropriately precautionary method statement produced by a SQE to minimise the risks of protected or notable species being adversely affected.
- g. Any trenches opened as part of the works shall be closed on the same day. Where this is not possible, either one side of the trench shall be cut to an angle of no more than 45 degrees, or a plank large enough for a person to walk up shall be installed each night, to provide wildlife with an escape route. The trenches shall be checked each morning, prior to the recommencement of works, to ensure no protected or notable species have become trapped.
- h. Appropriate Rot Protection Areas, as advised by a suitably qualified arborist, shall be implemented around the trees which are to be retained within the site, into which no construction works, including stockpiling materials, shall extend. Heras fencing shall be used throughout the works to ensure the protection of these features, if required.

i. Site clearance works shall use methods recommended by a suitably qualified arborist, to minimise potential impacts upon adjacent trees that are to be retained.

j. Any sightings of protected species within the works area shall be recorded in the site diary and the project ecologist shall be notified immediately. In the event any great crested newts are identified on site when the project ecologist is not present, all works shall cease immediately and a SQE shall be contacted for advice on how to proceed.

Reason: To maintain the biodiversity value of the site and avoid harm to protected species that may be present.

9. No development shall commence unless and until a scheme ("the offsetting scheme") for the offsetting of biodiversity impacts at the site has been submitted to and approved in writing by the Local Planning Authority. The offsetting scheme shall include:

a. A methodology for the identification of receptor site(s).

b. The identification of receptor site(s).

c. Details of the offset requirements of the development (in accordance with the recognised offsetting metrics standard outlined in the Defra Metrics Guidance dated March 2012).

d. The provision of arrangements to secure the delivery of the offsetting measures (including a timetable for their delivery).

e. A management and monitoring plan (to include for the provision and maintenance of the offsetting measures in perpetuity).

The written approval of the LPA shall not be issued before the arrangements necessary to secure the delivery of the off-setting measures have been executed. The offsetting scheme shall be implemented in full accordance with the requirements of the approved scheme.

Reason: To provide net gains for biodiversity in accordance with the NPPF and emerging Northumberland Local Plan Policy ENV1.

10. If contamination not previously considered is identified during site operations than an additional Method Statement regarding the material shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the measures in the approved Method Statement have been carried out to the satisfaction of the Local Planning Authority. If no contamination is found during site operations a signed statement to that effect shall be submitted to and approved in writing by the Local Plan Authority before the development is brought into use.

Reason: To ensure that risks from contamination to future users of the land are minimised in accordance with emerging Northumberland Local plan Policy POL1.

11. During the construction period there shall be no noisy activity from mobile plant, pneumatic equipment or power tools audible at the site boundary on Sundays,

Bank Holidays or outside the hours of 08.00 – 18.00 Monday to Friday and 08.00 – 13.00 on Saturdays, unless agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

12. Deliveries to and collections from the site during the construction phase of the development shall not be allowed on Sundays, Bank Holidays or outside the hours of 08.00 – 18.00 Monday to Friday and 08.00 – 13.00 on Saturdays, unless agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

13. Development shall not commence until details for the construction site access along public right of way 300/178 have been submitted to and approved in writing by the Local Planning Authority. Any reinstatement of the existing route and the adjacent land which may be required shall (if required) be undertaken with the agreement in writing of the Local Planning Authority.

Reason: In the interest of users of the PROW.

14. Prior to the development coming into use, details for the construction of the bridleway and footpath sections linking directly to the footbridge on both sides of the new footbridge shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

15. Prior to the development coming into use, a detailed landscaping and hard surfacing plan covering areas to be agreed with the Local Planning Authority shall be submitted to and approved in writing by the Local Planning Authority. Narrow and sharp path junctions shall be avoided with splays and hard surfaced junctions. Thereafter the development shall be carried out in accordance with the approved details and all soft landscaping shall be implemented in the first available planting season following completion of the development.

Reason: To avoid the development of unsurfaced desire line routes.

16. The area of woodland planting proposed to the rear of 89 Chase Meadows shall be a minimum of 1.5 metres from the realigned bridleway surface of 300/178 to avoid any future encroachment of overhanging vegetation. Details of the proposed planting shall be agree with the Local Planning Authority and shall be implemented in the first available planting season following completion of the development.

Reason: In the interest of users of the bridleway.

Informatives

1. The developer is required to submit an application for the diversion of public rights of way 300/013, 300/016, 300/022 and 300/178 under section 257 TCPA 1990 to reflect the realignment of the public rights of way for the new footbridge, unless this is covered y a TWAO.

2. The application for the temporary closure of sections of paths 300/13, 300/16, 300/022 and 300/178 will be required prior to any works starting on site. It is recognised that a closure will be necessary for the bridge construction and that the provision of alternative routes is unlikely.
3. A highway condition survey shall be carried out before the commencement of demolition and construction vehicle movements from the site.
4. Building materials or equipment shall not be stored on the highway unless otherwise agreed.
5. In accordance with the Highways Act 1980, mud debris or rubbish shall not be deposited on the highway.
6. The developer shall ensure that lighting does not cause annoyance to any nearby receptors.
7. Under the Coal Industry Act 1994 any intrusive activities, including site investigation boreholes, and / or any subsequent treatment of coal mine workings / coal mine entries for ground stability purposes require the prior approval in writing of the Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass with the potential for court action.

Date of Report: 12 May 2021

Background Papers: Planning application file 21/00388/CCD